

**OFFICE OF THE CLERK
United States District Court
Southern District of Florida**



**GENERAL CIVIL CASE FILING REQUIREMENTS
REVISED JULY 3, 2007**

**STEVEN M. LARIMORE
COURT ADMINISTRATOR/CLERK OF COURT**

The Mission of the Clerk's Office for the Southern District of Florida is to provide the support necessary to enable the Court as an institution to fulfill its constitutional, statutory, and societal responsibilities for all who seek justice.

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I. GENERAL COURT INFORMATION

A) Office Addresses

The Clerk maintains five staffed offices.

Office hours are from 8:30 A.M. to 4:30 P.M., Monday through Friday, except legal holidays, as noted below. These offices are open to the public and are located at:

301 North Miami Avenue, Room 150
Miami, Florida 33128
305-523-5100

299 East Broward Boulevard, Room 108
Fort Lauderdale, Florida 33301
954-769-5400

701 Clematis Street, Room 202
West Palm Beach, Florida 33401
561-803-3400

301 Simonton Street, Room 130
Key West, Florida 33040
305-295-8100
(limited hours)

300 South Sixth Street, Second Floor
Fort Pierce, Florida 34950
772-467-2300

B) Website

The Southern District of Florida's website, located at: <http://www.flsd.uscourts.gov>, contains the Local Rules of this Court as well as other useful information. **NOTE:** *You may also subscribe to PACER, which provides current docket sheets and includes scanned images of documents on cases filed within the last three years. (See page 8 of this booklet for additional information.)*

C) Legal Holidays

If a legal holiday falls on a Saturday, it is observed on the preceding Friday. If a legal holiday falls on a Sunday, it is observed on the following Monday.

New Years Day - January 1st
Martin Luther King, Jr.'s Birthday - 3rd Monday in January
Presidents Day - 3rd Monday in February
Memorial Day - Last Monday in May
Independence Day - July 4th
Labor Day - 1st Monday in September
Columbus Day - 2nd Monday in October
Veterans Day - November 11th
Thanksgiving Day - 4th Thursday in November
Christmas Day - December 25th

D) Clerk's Automated Telephone System Index

The Clerk's Offices in Miami, Fort Lauderdale and West Palm Beach use an automated telephone answering and routing system to direct callers to the proper sections. To get a section directly after calling the main number, dial 1 using a touch-tone telephone and use the following extensions:

Miami: Main Telephone Number: 305-523-5100

Jury Information	1
CM/ECF, Filing Information	2
Other Clerk's Office Sections	3
Attorney Admissions	4
Addresses and Directions to Miami Courthouses	5
Mediation or Becoming a Mediator	6
Other Government Agencies	7
Other Assistance	8

Fort Lauderdale: Main Telephone Number: 954-769-5400

Jury Information	1
Docketing, Case Information, Filing Information	2
Assistance	8

West Palm Beach: Main Telephone Number: 561-803-3400

Jury Information	1
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Docketing, Case Information, Filing Information	2
Other Clerk's Office Sections	3
Address and Directions to Federal Building and Courthouse	5
Mediation or Becoming a Mediator	6
Other Government Agencies	7
Other Assistance	8

Key West: Main Telephone Number: 305-295-8100

E) Case Types and Numbering

The following are case types used in CM/ECF:

- Civil memo cases (MC) will be opened with "MC" rather than "CV." If the case is later contested, there is a docket utility for contested hearings that converts the "MC" to "CV" so that the district judge will receive credit for the case.
- Civil cases (CV).
- Magistrate cases (MJ), formerly "MG".
- Multi-district Litigation cases (MDL).
- Criminal cases (CR).
- Transfer of Probation (TP).

The case number is preceded by the current year. The following is an example of a case number: 03-21234-CV-DAVIS/BANDSTRA

03 = Last two digits of the year the case was filed

21234 = Number of the case

CV = Abbreviation denoting a civil case

DAVIS = Surname of the district judge assigned to the case

BANDSTRA = Surname of the magistrate judge assigned to the case

Fort Lauderdale

Civil/Criminal Cases: 60001 to 79999

Magistrate Cases: 6001 to 7999

Miscellaneous Cases: sequential numbers beginning with "01" to the end of year

Transfer of Probation: sequential numbers beginning with "60001" to end of year

Fort Pierce

Civil/Criminal Cases: 14001 to 19999

Magistrate Cases: 01 to 1999

Miscellaneous Cases: included in West Palm Beach numbers

Transfer of Probation: sequential numbers beginning with "14001" to end of year

Key West

Civil/Criminal Cases: 10001 to 13999

Magistrate Cases: included in Miami numbers

Miscellaneous Cases: included in Miami numbers

Transfer of Probation: sequential numbers beginning with "20001" to end of year

West Palm Beach

Civil/Criminal Cases: 80001 to 89999

Magistrate Cases: 8001 to 8999

Miscellaneous Cases: sequential numbers beginning with "01" to the end of year

Transfer of Probation: sequential numbers beginning with "80001" to end of year

F) Location of Case Files and Obtaining Case Information

Conventional case files are maintained at the location where the assigned judge is chambered. If a filed document is scanned, it is maintained in its original form by the Clerk of Court for at least 90 days at the location where it was scanned and docketed.

Cases that have been closed and are not on appeal are sent to the Federal Records Center (FRC) in East Point, Georgia. The cost to retrieve files from the FRC is \$45.00 per file if the file is retrieved from the FRC by the Court. Alternatively, the customer may contact the FRC directly at 404-763-7474.

The fees for copies are as follows:

- 50 cents per page
- \$9.00 per document for certification
- \$18.00 for exemplification *plus* 50 cents per page
- \$26.00 *per name* for a name search conducted by Clerk's Office staff (28 U.S.C. §1914)

G) Public Terminals and Public Searches

Computer terminals that allow access to the electronic case docket are available in the Miami, Fort Lauderdale, West Palm Beach, Fort Pierce and Key West Clerk's Offices. The terminals may be used to conduct case searches by party name or case number. To accommodate CM/ECF users, terminals for scanning and filing will be available at all Clerk's Office locations during regular business hours and extended hours.

The electronic docket is available for civil cases filed from August 1990 to the present and for criminal cases from January 1992 to the present. Anyone interested in accessing this electronic docket via a modem to a personal computer can subscribe to the Court's PACER system. The PACER Service Center may be contacted at **1-800-676-6856** or via its website at: <http://pacer.psc.uscourts.gov>.

All documents filed in civil cases from June 1, 1996 to the present and all documents filed in criminal cases from November 1, 1996 to the present have been scanned and are available at public terminals. Microfiche indices of civil and criminal cases filed since mid-1985 are also available at all Clerk's Office locations except Key West.

NOTE: *Most forms/documents listed within this Guide can be located on the Court's website at <http://www.flsd.courts.gov>.*

H) Location of District Judges and Magistrate Judges

<u>District Judges' Names</u>	<u>Location</u>	<u>Telephone</u>
Chief Judge Federico A. Moreno	Miami	305-523-5110
Judge William J. Zloch	Fort Lauderdale	954-769-5480
Judge Donald L. Graham	Miami	305-523-5130
Judge K. Michael Moore	Miami	305-523-5160
Judge Ursula Ungaro	Miami	305-523-5550
Judge Daniel T.K. Hurley	West Palm Beach	561-803-3450
Judge Joan A. Lenard	Miami	305-523-5500
Judge Donald M. Middlebrooks	West Palm Beach	561-514-3720
Judge Alan S. Gold	Miami	305-523-5580
Judge William P. Dimitrouleas	Fort Lauderdale	954-769-5650
Judge Patricia A. Seitz	Miami	305-523-5530
Judge Adalberto Jordan	Miami	305-523-5560
Judge Paul C. Huck	Miami	305-523-5520
Judge Kenneth A. Marra	West Palm Beach	561-514-3760

Judge Jose E. Martinez	Miami	305-523-5590
Judge Cecilia Altonaga	Miami	305-523-5510
Judge James I. Cohn	Fort Lauderdale	954-769-5490
Judge Marcia G. Cooke	Miami	305-523-5150
Senior Judge James Lawrence King	Miami	305-523-5000
Senior Judge William M. Hoeveler	Miami	305-523-5570
Senior Judge Jose A. Gonzalez, Jr.	Fort Lauderdale	954-769-5560
Senior Judge Kenneth L. Ryskamp	West Palm Beach	561-803-3420
Senior Judge Shelby Highsmith	Miami	305-523-5170

<u>Magistrate Judges' Names</u>	<u>Location</u>	<u>Telephone</u>
Chief Magistrate Judge Ted E. Bandstra	Miami	305-523-5700
Magistrate Judge William C. Turnoff	Miami	305-523-5710
Magistrate Judge Lurana S. Snow	Fort Lauderdale	954-769-5460
Magistrate Judge Linnea R. Johnson	West Palm Beach	561-803-3470
Magistrate Judge Ann E. Vitunac	West Palm Beach	561-803-3440
Magistrate Judge Stephen T. Brown	Miami	305-523-5740
Magistrate Judge Barry S. Seltzer	Fort Lauderdale	954-769-5450
Magistrate Judge Barry L. Garber	Miami	305-523-5730
Magistrate Judge Frank J. Lynch, Jr.	Fort Pierce	772-467-2320
Magistrate Judge Andrea M. Simonton	Miami	305-523-5930
Magistrate Judge John J. O'Sullivan	Miami	305-523-5920
Magistrate Judge Patrick A. White	Miami	305-523-5780
Magistrate Judge James M. Hopkins	West Palm Beach	561-514-3710
Magistrate Judge Edwin G. Torres	Miami	305-523-5750
Magistrate Judge Chris M. McAliley	Miami	305-523-5890
Magistrate Judge Peter R. Palermo	Miami	305-523-5760
Magistrate Judge Robert L. Dube'	Miami	305-523-5770

I) Duty Judge

A Duty Judge is assigned on a rotating basis for the Miami, Fort Lauderdale and West Palm Beach offices. In general, Duty Judges:

- Handle all grand jury matters.

- Preside over matters arising from magistrate judges proceedings which are not assigned to a district judge.
- Sign transfer of probation petitions from other districts.
- Swear in attorneys to practice.
- Preside over wire tap applications in matters not assigned to a district judge, with the exception that trap-and-trace and pen register orders are handled by magistrate judges.
- Approve issuances of warrants of arrest in admiralty cases in any division where the assigned district judge is out of the district or is otherwise unavailable.
- Preside over emergency petitions for writs of habeas corpus involving a petitioner claim to immediate release, where the assigned district judge is in the district, but otherwise unavailable.
- Determine the validity of juror qualifications, exemptions, or excuses.

II. GENERAL FILING REQUIREMENTS

A) Electronic Filing Requirements

Effective October 12, 2006, the United States District Court for the Southern District of Florida implemented an electronic filing system known as Case Management/Electronic Case Filing (CM/ECF), which has been designated for use nationwide by the United States Courts.

Electronic filing is mandatory for all attorneys admitted to practice in the Southern District of Florida. ([See CM/ECF Administrative Procedures.](#))

B) Pro Se Litigants

Pro se litigants, or individuals who represent themselves, will **not** be permitted to file electronically or receive notices electronically. Pro se litigants **must** file all document conventionally. ([See CM/ECF Administrative Procedures.](#)) Documents should be simple and direct; technical, legal jargon is not required. See Appendix A for a sample of document format.

Once a case has been filed, it is extremely important for a plaintiff to be diligent in pursuing the case. The plaintiff has an obligation to attempt to make the case ready for trial. All parties must make their best efforts to complete discovery as to the facts of the case within the time limits and in accordance with procedures. In addition, a plaintiff must obey all orders of the Court that may be issued in the case, and must appear for all conferences or hearings which a judge may schedule.

Failure to do so is grounds for dismissal or sanctions.

Disclaimer: This summary does not take the place of a pro se litigant's responsibility to comply with the Local Rules, the Federal Rules of Civil Procedure and all other laws. The Local Rules of this Court may be obtained at the Intake Section at of the Clerk's Offices free of charge or from our website: <http://www.flsd.uscourts.gov>. This summary is NOT legal advice.

C) Conventional (Paper) Filing

All conventional filings (as permitted in the Administrative Procedures) must show the assigned case number and may be filed at any division with the exception of emergency motions/requests for emergency hearings, which must be filed in the division where the Judge is chambered. Documents should not be filed directly with chambers unless there are instructions by chambers to do so.

Conventional filings must be filed with the Clerk's Office between the hours of 8:30 A.M. and 4:30 P.M., Monday through Friday, except on legal holidays.

New cases filed in a conventional manner may be filed and summonses issued by any divisional office in the Southern District of Florida. In accordance with Local Rule 5.1.B, **no pleadings or documents should be filed directly with chambers**, except for final versions of proposed documents or in situations in which they must be emailed to the appropriate judge as indicated in the Administrative Procedures.

All documents must be on 8½" by 11" (letter size) white paper, with a centered, standard two-hole punch at the top (Local Rule 5.1.A.3). Documents should not be bound or double sided (Local Rule 5.1.A.1).

If you want a file-stamped copy for your records, you must provide an extra copy along with a self-addressed, stamped envelope.

Filings must include a signature block identifying all counsel for the party and a certificate of service that refers to a service list attached to the filing. The signature block should contain the street address, telephone number, facsimile, e-mail address and Florida Bar identification number of all counsel (Local Rule 5.1.A.6). In matters that have been consolidated, an additional copy is required for each case in the consolidation, unless otherwise ORDERED by the Court (Local Rule 5.1.A.8).

D) Sealed Documents

[Local Rule 5.4](#). Documents and cases are sealed when it is determined by a judge that the information contained in them should not be a part of the public record. Parties seeking to file matters under seal shall follow the procedures prescribed by Local Rule 5.4.

Prepare the original (with an original signature of the filing party) and one copy for the judge of the **Motion to Seal** setting forth a reasonable basis for departing from the general policy of public filing, generally describing the matter contained in the envelope. The motion shall state the specific period of time for which the party seeks to have the matter maintained under seal. Unless permanent sealing is sought, the motion shall set forth how the matter is to be handled upon expiration of the time specified in the Court's sealing order, or returned to the filing party.

Submit an original and one copy for the judge of the [Sealed Document Tracking Form](#), and a proposed order with stamped, self-addressed envelopes for all parties.

Place the original and one copy of the proposed filing in separate plain envelopes, clearly marked as "sealed document," with the case number and style on

the outside of each envelope.

E) Motions

A motion is an application to the Court asking the Court to take certain action with respect to the conduct of the case.

Motions should be in writing (see Appendix A for format), state the action sought, and set forth the facts in support of the requested action. Motions are the primary way for litigants to ask the Court to take action in a case. Motions must be filed with the Clerk, according to the Administrative Procedures. It is the responsibility of the filing party to send a copy of every document to all opposing parties. Motions should **not** be sent directly to the judge.

NOTE: Pursuant to [Local Rule 15.1](#), *any amendment to a pleading, whether filed as a matter of course or upon a successful motion to amend, must reproduce the entire pleading as amended, except by leave of the Court.*

F) Certificate of Service

Every document sent to the Clerk must contain a signed statement at the end certifying that you have sent a copy of that paper to all parties in the case. You must, of course, actually send all parties a copy of every document you file.

G) Proposed Orders

A proposed order for consideration by the judge must accompany all motions specified in Local Rule 7.1A.1 and must comply with 3H(5) of the Administrative Procedures.

H) Discovery

Discovery material **in civil cases will not** be tendered for filing. This Court will only accept discovery documents that clearly indicate on a notice of filing one of the exceptions cited in Local Rule 26.1.B, to wit:

- Discovery documents that have been ordered to be filed by the Court.
- Motion before the Court or support/objection thereto.
- Discovery documents filed for trial/appellate purposes.

NOTE: *The Court reserves the discretion to refuse documents for filing that do not conform to these procedures.*

I) Civil Subpoenas

Fed. R. Civ. P. 45 was amended as of December 1, 1991 abolishing the requirement that a subpoena be issued under the seal of the Court; the only requirement under the amended rule is that the subpoena be signed by an attorney.

It is not necessary that subpoenas be issued by the Clerk's Office. Although the Clerk has the authority to do so, subpoenas may be issued by counsel as officers of the Court. Attorneys may issue subpoenas in the name of any court in which they are authorized to practice. Other parties who are *not* officers of the Court (*i.e.*, *pro se* litigants) must have subpoenas issued by the Clerk's Office.

It is not required that the attorney issuing the subpoena be a member of the bar or admitted *pro hac vice* in the district in which the subpoena is served as long as the deposition or production of documents pertains to a primary action in a court in which the attorney *is* authorized to practice.

If an attorney or party requests that the Court issue a subpoena, the Deputy Clerk shall issue a subpoena, which is signed (not sealed or dated) but otherwise blank, to the requesting party.

A subpoena may be served by any person who is not a party and who is not less than 18 years of age.

The fee for a witness being subpoenaed is \$40.00 per day and mileage is 44.5 cents per mile (28 USC § 1821).

Proof of service of the subpoena is required to be filed only in the event of a dispute or upon order of the Court.

1) Civil Subpoena for Deposition or a Subpoena for Documents (Duces Tecum)

A process by which the Court, at the request of a party, commands a witness to produce testimony (*i.e.*, deposition) or a document(s) that is pertinent to the issues of a pending action.

2) Civil Subpoena for Trial

A process by which the Court, at the request of a party, commands a witness to appear at a trial or hearing for the purpose of giving testimony before the Court.

3) Subpoena for Deposition or Documents

If the subpoena is issued for a deposition or production of documents that will take place in another district, the name of the court where the deposition or production is to take place must be indicated on the subpoena. (The location where the deposition is going to be taken and the residence of the person being deposed must be in the same district and must be located within 100 miles of each other.) In the case of a deposition or a production of documents taking place in **another** district, the name of that court and case number (where the deposition or production is to take place) should be typed at the top of said subpoena.

NOTE: *The place of taking the deposition and person being deposed must be in the Southern District of Florida.*

J) Emergency Matters

Judges are selected randomly to handle emergency filings when the assigned district judge is physically absent from the District, unavailable due to illness, or on vacation, and the matter cannot wait for the assigned district judge to return. *These matters never go to the Duty Judge.*

Emergency matters must be filed conventionally in the district where the Judge is chambered and will *not* be accepted electronically. Emergency motions contain a Certificate of Emergency, if applicable. These forms are available at all Clerk's Offices and on the Court's [website](#).

It is the filing party's responsibility to determine whether the matter *is*, in fact, an emergency that cannot wait for the assigned district judge's return. If the filing party determines that the matter cannot wait for the assigned district judge to return, he/she must complete the "Certification of Emergency Matter" attesting that the emergency was not caused by the filing party's lack of due diligence.

K) Notice of 90 Days Expiring (L.R. 7.1.B.3)

When a motion or any other matter has been fully briefed and pending for more than 90 days with no hearing set, or any motion or other matter on which the Court has conducted a hearing but has not entered an order within 90 days of the hearing, the movant or applicant shall file and serve on all parties a Notification of 90 Days Expiring.

The notice must contain the following information:

- The title and docket entry number of the subject motion or other application, along with the dates of service and filing.
- The title and docket number of any and all responses or opposing memoranda, along with the dates of service and filing, or if no such papers have been filed, the date on which such papers were due.
- The title and docket entry number of any reply memoranda, or any other papers filed in connection with the motion or other matter, as well as the dates of service and filing.
- The date of any hearing held on the motion or other matter.

The Notification of 90 Days Expiring shall be filed within ten days of the expiration of the applicable 90 day period.

III. FILING A NEW CIVIL CASE

The filing of a **complaint** with the Clerk of the Court begins the civil lawsuit. The purpose of the complaint is to commence the formal legal process and to give notice to the person(s) being sued and to the Court about the nature of the lawsuit. Generally, lawsuits should be filed in the district where the defendant resides or where the claim arose (28 U.S.C. § 1391). Civil cases are assigned at random to the judges of the district court. Assignments are made so that no party or lawyer may choose which judge will hear the case.

Complaints must contain the following information:

- Federal statute giving the Court jurisdiction. Each statement of claim should be made in separately numbered paragraphs, with each paragraph limited to a statement of a single set of facts, if possible. In this package you will also find a sample of how to style your complaint (See Appendix C).
- Caption specifying the Court in which the suit is brought and names of the parties.
- Brief statement of why the Court has jurisdiction.
- Brief statement of the facts of your case, how each defendant is involved, names of other persons involved, and dates and places.
- Brief statement of exactly what you want the Court to do for you.
- Your signature, street address, telephone number, facsimile number and e-mail address.
- Your Florida bar number, if you are an attorney.
- *(You do not need to give any legal arguments or cite any cases or citations.)*

A) Civil Cover Sheet

[The Civil Cover Sheet \(JS44\)](#). (Local Rule 3.3) (Appendix D) **ALL SECTIONS MUST BE COMPLETED:** the County Where the Action Arose, Section I(d); Basis of Jurisdiction, Section II; Citizenship of Principal Parties (*only if it is a diversity case*), Section III; Nature of Suit, Section IV; Origin, Section V; Cause of Action, Section VII; Estimated Time to Try the Case, part of Section VII; Jury Demand, Section VIII; Original Signature of Filer and other pertinent information.

B) Filing Fee

The appropriate filing fee is payable to “Clerk, United States Courts.” In the absence of the filing fee, an original Motion to Proceed In Forma Pauperis (IFP) is required; however, the Clerk’s Office *will accept pro se prisoner cases without* the fee or the IFP Motion. *Pro se* prisoner fee issues will be adjudicated by the magistrate judge after the case is filed.

NOTE: *In cases where an IFP Motion is filed, summonses are NOT issued until the IFP has been ruled on.*

The amount of the fee will be determined by the nature of the complaint:

- Civil cases: \$350.00
- Memo cases: \$39.00
- Habeas cases: \$5.00

C) Issuance of Summonses

A summons is a notice to a party that a complaint has been filed against him/her/it and requiring him/her/it to answer the complaint within a specified time period and at a specified location.

Upon filing a complaint, the plaintiff is responsible for prompt service of the summons and a copy of the complaint on each of the defendants named in the complaint (Fed. R. Civ. P. 4).

The summons must show the time within which the defendant is required to respond to the complaint. The time runs from the date the defendant is served with the complaint. The summons must be issued (signed and sealed) by the Clerk. Summonses can be issued in any divisional office in the Southern District of Florida.

The following must be adhered to:

- Prepare and file an original, signed summons and two copies for each defendant.
- Two copies will be returned to the plaintiff together with the copies of the complaint to be served. The plaintiff must then have the summons served along with a copy of the complaint to each defendant, or to a person authorized to accept them for the defendant. The summons must be served by anyone 18 years of age or over, who is not a party to the suit, or by a Process Server (Appendix H).
- After receiving the order granting such motion, you must present a copy of the order, along with the required **completed** summons, to the Clerk's Office for issuing. If the request for "Leave to Proceed In Forma Pauperis" was granted, you may move the Court to enter an order directing that service be made by the United States Marshal.
- File a Proof of Service. (See "Requirements" below.)

There is no fee for issuing a summons, *per se*; however, a summons will not be issued if the filing fee due upon the filing of the initial complaint has not been paid or if there is not an order granting leave to proceed In Forma Pauperis (IFP).

NOTE: *Plaintiffs should read the Federal Rules of Civil Procedure and the Local Rules to become thoroughly familiar with the procedures governing service of process.*

Failure to serve the summons and complaint within 120 days of filing the complaint is grounds for dismissal of each party not served.

Time Allowed for Service

It is the responsibility of the filing party to ensure that the parties (defendants) are served with the complaint within 120 days of the filing date of the action.

The filing party must allow 20 days for the defendant to answer when serving a private individual or corporation. The filing party must allow 60 days for the defendant to answer when serving a federal agency or individual acting in an official federal government capacity.

Method of Service

The decision as to service method depends on the circumstances of each case. It is the filing party's responsibility to inform the Deputy Clerk which method of service will be used.

The three methods of service are:

- Personal service: Service may be effected by any person who is not a party to the case and who is at least 18 years of age, *or* by an order of the Court directing that service be effected by the United States Marshal.
- Notice of Lawsuit & Waiver of Service of Summonses: To avoid costs, the plaintiff may notify the parties in the lawsuit of the commencement of the action, and request that they waive service by summons. If a Waiver of Service of Summons is returned signed by the defendant, the plaintiff must file it with the Clerk's Office. If the defendant does not return the waiver within the prescribed time frame, the plaintiff must prepare the summons to be issued and serve the defendant in the manner described. (See Appendix F.)
- International service and/or letter of request: Service of process in a foreign country. International Service of Summons 28 U.S.C. 1696 and Rule Fed. R. Civ. P. 4(f)(2)(B) (not via Hague Convention).

Proof of Service

The plaintiff must file with the Court proof that the defendant(s) have been served in accordance with Rule 4 of the Federal Rules of Civil Procedure. It is the responsibility of the person serving the summons to prepare and file with the Clerk's Office the forms showing proof of service (see back of Appendix G - make sure both sides are copied) once it is made (Fed. R. Civ. P. 4(1)).

Answer to Complaint

Just as the plaintiff in the complaint must make a short, plain statement of the claim, the defendant in the answer must state the defenses to the claims and either admit or deny the specific allegations contained in the complaint (Fed. R. Civ. P. 8(b) see

Appendix A for sample format). As with all other documents, the defendant must file the answer with the Clerk and serve a copy on all opposing parties. Failure to answer or otherwise defend in a timely fashion is grounds for judgment by default against the defendant (Fed. R. Civ. P. 55).

IV. SPECIFIC CIVIL ACTIONS

A) Complaint Against Private Person or Corporation

Prepare and file the original, signed Civil Cover Sheet (JS-44) (i.e., county, parties, origin, nature of suit and signature, etc). If the original is “refiled,” a copy of the order that closed/dismissed the previous case must be provided and attached to the JS-44.

Prepare a signed petition/complaint. File the original (with an original signature of the filing party) and one copy for each defendant named in the suit. The copies will be file-stamped and returned to you for service.

Prepare and file three summonses for each defendant named on the complaint (an original, *and* two copies to be served upon each defendant named in the suit). The Deputy Clerk will issue each summons (date, sign and seal).

One original will be retained by the Court. The second original and copy must be served on each defendant named in the suit, with one original being returned to the Clerk’s Office to document the Service of Process.

A filing fee of \$350.00 payable to the “Clerk, United States Courts” or an original IFP Motion in lieu of the filing fee is required.

B) Complaint Against United States or an Agency Thereof

Prepare and file the original, signed Civil Cover Sheet (JS-44) (i.e., county, parties, origin, nature of suit and signature, etc.). If the original is “refiled,” a copy of the order that closed/dismissed the previous case must be provided and attached to the JS-44.

Prepare a signed petition/complaint. File the original (with an original signature of the filing party) and one copy for each defendant named in the suit. The copies will be file-stamped and returned to you for service.

Prepare *and* file three summonses for each defendant named on the complaint (an original *and* two copies to be served upon each defendant named in the suit). The Deputy Clerk will issue each summons (date, sign and seal). One original will be retained by the Court to document the Issuance of Summons.

A filing fee of \$350.00 payable to the “Clerk, United States Courts” or an original IFP Motion in lieu of the filing fee is required.

C) Complaint Against the Secretary of the State of Florida

Any such suit or action should be brought in the district where the action arose or where the defendant is located. If the *defendant* is not within this District, the venue is the location where the *plaintiff* is located.

Prepare and file the original, signed Civil Cover Sheet (JS-44) (i.e., county, parties, origin, nature of suit and signature, etc). If the original is “refiled,” a copy of the order that closed/dismissed the previous case must be provided and attached to the JS-44.

Prepare the signed petition/complaint. File the original (with an original signature of the filing party) and one copy for each defendant named in the suit. The copies will be file-stamped and returned to you for service.

Prepare and file three summonses for each defendant named on the complaint (an original *and* two copies to be served upon each defendant named in the suit).

The Deputy Clerk will issue each summons (date, sign and seal). The summonses will only be issued if the fee is paid or an IFP Motion has been granted.

A filing fee of \$350.00 payable to “Clerk, United States Courts” or an original IFP Motion in lieu of the filing fee is required.

D) Suits Involving an Insurance Commissioner Outside of Florida

Prepare and file the original, signed Complaint *and* three copies required by the Insurance Commissioner to be served upon each defendant named in the suit.

Prepare and file the original, signed summons *and* six summonses for each defendant. They are to be served upon each defendant named in the suit. The original is to be returned to the Clerk’s Office to document the service of process.

A filing fee of \$350.00 payable to the “Clerk, United States Court” or an original IFP Motion original in lieu of the filing fee is required.

E) Motion/Petition for Return of Seized Property

A Motion/Petition for Return of Seized Property is filed to request authorization for the filing party to recover goods or chattels that have been wrongfully taken or detained.

Any such suit or action should be brought in the district where the action arose or where the defendant is located. If the *defendant* is not within this District, the venue is the location where the *plaintiff* is located.

Prepare and file the original, signed Civil Cover Sheet (JS-44) (i.e., county, parties, origin, nature of suit and signature, etc). If the original is “refiled,” a copy of the order that closed/dismissed the previous case must be provided and attached to the JS-44.

Prepare the signed petition/complaint. File the original (with an original signature of the filing party) *and* one copy for each defendant named in the suit. The copies will be file-stamped and returned to you for service.

Prepare and file two summonses for each defendant named on the complaint; one summons will be filed with the Court, the second summons must be served on the defendant and returned to the Clerk’s Office to document the Service of Process. (See Return of Service-Appendix G.)

A filing fee of \$350.00 payable to the “Clerk, United States Courts” or an original IFP Motion in lieu of the filing fee is required.

F) Motion to Enforce (Compel)/Quash Deposition Subpoena from Another District

A Motion to Enforce/Quash a Deposition Subpoena is filed as a new case, only because the subpoena is being issued from a federal court *outside* the District on a party residing *inside* the District; thus there is no existing case number.

Prepare and file the original, signed Civil Cover Sheet (JS-44) (i.e., county, parties, origin, nature of suit and signature, etc). If the original is “refiled,” a copy of the order that closed/dismissed the previous case must be provided and attached to the JS-44. Also, a copy of the Motion to Enforce/Quash Deposition Subpoena from the other District must be enclosed.

NOTE: *The place of taking the deposition and person being deposed must be in the Southern District of Florida.*

A filing fee of \$39.00 payable to “Clerk, United States Courts” is required.

G) Removal of a Case from State Court

A removal, in this instance, is the transfer of a case by the defendant from a state court to a U.S. District Court. A removal is generally carried out with an action commenced, but not finally determined.

Prepare and file the original, signed Civil Cover Sheet (JS-44) (i.e., county, parties, origin, nature of suit and signature, etc.). If the original is “refiled,” a copy of the order that closed/dismissed the previous case must be provided and attached to the JS-44.

Prepare and file the original Notice of Removal with the State Court documents attached.

A filing fee of \$350.00 payable to “Clerk, United States Courts” or an original IFP Motion in lieu of the filing fee is required.

H) Admiralty and Maritime Claims

The following are types of Admiralty and Maritime Claims:

1) Complaint for Exoneration

A Complaint for Exoneration is filed by a shipowner for the purpose of restricting his/her liability to certain parties to whatever value the ship has after an event such as a sinking or collision.

The following documents are required:

- Original, signed Affidavit of the Value of the Vessel (may be incorporated within the complaint or filed separately).
- Original, signed Affidavit of No Pending Freight (may be incorporated within the complaint or filed separately).
- Original Notice of Filing Bond for the value of the vessel (cash or surety).
- Original, signed Notice of Filing of All Claims.
- Monition (optional). (An order directing the Clerk to issue a notice of publication.)
- Original, signed Proposed Notice of Publication (L.R.5.2).

Any such suit or action should be brought in the district where the action arose or where the defendant is located. If the *defendant* is not located in this District, the venue is the location where the *plaintiff* is located.

Prepare and file the original, signed Cover Sheet (JS-44) (i.e., county, parties, origin, nature of suit, signature, etc.). If the original is “re-filed,” a copy of the order that closed/dismissed the previous case must be provided and attached to the JS-44.

Once the Monition and Order have been signed by the District Judge, they will be returned to a Deputy Clerk for issuance of the Notice of Publication to comply with the Order. The Notice must require publication *once each week for four consecutive weeks* (unless otherwise instructed) and the return date for “claims” should be set according to the Court’s Order.

Unless otherwise ordered, the Deputy Clerk will telephone the filing party to notify him/her that the Notice has been issued and that it is the responsibility of the filing party to publish the Notice as directed by the Judge’s Order.

On occasion, in lieu of publication, the judge will direct the Deputy Clerk to *mail* the notice to all individuals designated in the Notice. The Deputy Clerk will certify that the Clerk has complied with the Order by making a docket entry indicating the date the Notice was sent.

A filing fee of \$350.00 payable to the “Clerk, United States Courts” or an original IFP Motion in lieu of the filing fee is required.

2) Attachment and Garnishment: In Personam

Writ of Attachment and Garnishment In Personam involves the process of seizing and holding the money or property of a person who is allegedly in debt to another person or entity prior to receiving a judgment. (Fed. R. Civ. P. Rule B Supplemental Rules for Certain Admiralty and Maritime Claims.)

The following documents are required:

- Original, signed Civil Cover Sheet (JS-44).
- Original, signed complaint *and* one copy for each defendant named in the suit.
- Original, signed affidavit.
- Three summonses for each defendant (an original *and* two copies to be served upon each defendant named in the suit). The original is to be returned to the Clerk’s Office to document the service of process.

A filing fee of \$350.00 payable to the “Clerk, United States Courts” or an original IFP Motion in lieu of the filing fee is required.

NOTE: *If a summons and writ of attachment is to be issued, you must first obtain an Order directing the Clerk to do so. If the attachment and garnishment are to be issued under state law, the original and three copies of the Summons and Process of Attachment are required and the bond required is double the amount of the claim.*

3) Actions in Rem

An action in Rem is an arrest of a vessel or other property. The following documents are required:

- A Civil Cover Sheet (JS-44).
- An original, signed Complaint.

If a Warrant in Rem is to be issued at the time of filing, the following documents are required:

- Motion for Substitute Custodian.
- Proposed Order.

- Motion Directing the Clerk to Issue the Warrant.
- Warrant of Arrest.

Any such suit or action should be brought in the district where the action arose or where the defendant is located. If the *defendant* is not located in this District, the venue is the location where the *plaintiff* is located.

The Deputy Clerk will check the JS-44 to verify that it has been completed (*i.e.*, county, parties, origin, nature of suit and signature, etc.). If the original is “refiled,” a copy of the order that closed/dismissed the previous case must be provided and attached to the JS-44.

A filing fee of \$350.00 payable to the “Clerk, United States Courts” or an original IFP Motion in lieu of the filing fee is required.

No prepayment of the filing fee is required if filed as a Seamen Action under 28 U.S.C. §1916. However, it is the responsibility of the filing party to pay the filing fee upon termination of the case.

4) Release of Vessel/Writ of Restitution for Cause Pending

(Fed. R. Civ. P. Supplemental Rules for Admiralty and Maritime and the Local Rules.) This is the process used for the release of a vessel.

The following documents are required:

- Original, signed Claim of Owner (signature of filing party).
- Original, signed Release Bond (signature of filing party).

NOTE: *The bond required is the amount of the claim plus six percent (6%) interest per annum from the date claimed to be due to a date twenty-four (24) months after the date the claim was filed, or by filing an approved stipulation or bond for the amount alleged plus interest as computed in this subsection (Fed. R. Civ. P. Rule E (5)(a) Admiralty and Maritime Claims and Local Rule E(8)(a)(1)).*

- Original U.S. Marshals Cost Form indicating that all U.S. Marshals Service costs have been paid.
- All unliquidated items, such as attorneys fees, Court costs, interest, etc., must be satisfied, or a stipulation by both parties or a Court order is required to release the vessel.

There is no filing fee for this proceeding.

I) Registration of a Judgment from Another District

The Judicial Improvements Act of 1988, as amended, permits judgments for money or property to be registered for immediate execution in another district. Effective February 17, 1989, judgments may be registered at any time, even when an appeal is pending, when ordered by the court that entered the judgment for good cause shown.

The following documents are required:

- Original, signed Civil Cover Sheet.
- Certified copy of the Judgment form from the district court where the judgment originated (AO451), or in the alternative, an order from said Court directing the Clerk to register such.
- Certified copy of the judgment from the originating district court. A certified copy will be returned to you, without cost, to record in the appropriate county recorder's office.

A filing fee of \$39.00 payable to "Clerk, United States Courts" is required.

J) Enforcement of Judgments

Enforcement of Judgment is the process used to enforce a judgment for the payment of monies.

The following documents are required:

- Writ of Execution (see [Section L](#) of this document)
- Writ of Garnishment (see [Section M](#) of this document)

Prepare and file five proposed Writs of Execution to include one signed original, one copy for the Court, *and* three for the United States Marshals Service.

Prepare and file five proposed writs to include one signed original, one copy for the Court's financial records, one copy to serve upon the party, *and* one to be returned to the Clerk's Office to document the return of service.

Service must be provided by a private process server; therefore, submit an original and one copy of the Motion for Appointment of a Process Server (Appendix H). The absence of the filing of this motion does not preclude the writ from being issued.

K) Amended Complaint

An amended complaint is filed to change a previously-filed complaint.

The following documents are required:

- An original, signed Amended Complaint.
- Motion for Leave to File an Amended Complaint, if applicable.
- Proposed Order.

An amended complaint can be filed *without* permission of the Court *only if no answer* to the original complaint has been filed.

If an answer has *not* been filed, file the original amended complaint and one copy for each defendant named in the suit and summonses, if additional defendants have been added to the complaint.

NOTE: Pursuant to Local Rule 15.1, any amendment to a pleading, whether filed as a matter of course or upon a successful motion to amend, must reproduce the entire pleading as amended, except by leave of the Court. If an answer has been filed, the party must move the Court for an order allowing the amended complaint to be filed, or must secure written consent of the adverse party. Summonses will not be issued at this time.

L) Writ of Execution

The issuance of Writs of Execution by a federal district court is controlled by the law of the state in which the district court is located. (Fed. R. Civ. P. 69.) A Writ of Execution is an order directing an officer of the court to seize property from a debtor to satisfy a judgment.

Prepare and file an original, signed [Writ of Execution](#) setting forth the amount of the judgment and the name of the party against which the judgment is being executed.

Prepare and file five writs. The Deputy Clerk will research the case to confirm that the writ complies with the judgment and that:

- The judgment is final (*i.e.*, that 10 days have passed from the date the judgment was entered on the docket.)
- *If* the judgment is currently on appeal *and* bond has not been posted, that 30 days have passed since the date the judgment was entered on the docket. (If 30 days have not passed since the judgment was entered, the writ cannot be issued.)
- A supercedeas bond has *not* been posted.
- There is *no* pending motion that would preclude the issuance of the writ (*i.e.* motion for a new trial.)
- The amount stated in the motion and in the writ does not exceed the amount of the judgment.

The Deputy Clerk will sign, date, and seal three writs and return two of the issued writs to the filing party.

M) Writ of Garnishment

The issuance of Writs of Garnishment by a federal district court is controlled by the law of the state in which the district court is located. Under Florida law, post-judgment Writs of Garnishment can be issued only after the judgment creditor files a motion. (Fed. R. Civ. P. 64.) A Writ of Garnishment is an order directing a third party to turn over property held for a debtor to a specified creditor for the purpose of satisfying a judgment.

The following documents are required:

- Motion to Issue Writ of Garnishment stating the amount of a judgment and that the movant does not believe the defendant is in possession of visible property on which a levy can be made sufficient to satisfy the judgment. (Fla. Stat. 77.03 [2003].) The latter establishes “good cause” for issuance of the writ.
- An original, signed Writ of Garnishment setting forth the amount of the judgment and the names of the parties against which a judgment has been entered.

Prepare an original, signed motion and an original, signed proposed Writ of Garnishment and five copies to include one original, one for the Court’s financial records, one to serve on the party, *and* one to be returned to the Clerk’s Office to document the Return of Service.

The Deputy Clerk will research the case to confirm that the writ complies with the judgment and that:

- The judgment is final (*i.e.*, that 10 days have passed from the date the judgment was entered on the docket).
- *If* the judgment is currently on appeal *and* bond has not been posted, that 30 days have passed since the date the judgment was entered on the docket. (If 30 days have not passed since the judgment was entered, the writ cannot be issued.)
- A supersedeas bond has *not* been posted.
- There is *no* pending motion that would preclude the issuance of the writ (*i.e.*, motion for a new trial).
- The amount stated in the motion and in the writ does not exceed the amount of the judgment.

The Deputy Clerk will sign, date, and seal three writs and return two of the issued writs to the filing party.

There is no filing fee; however, a \$100.00 deposit into the Court Registry is required when the Writ is issued. (Florida Statute 77.28 and AO - 90-104 & 98-51.)

N) Writ of Restitution

A Writ of Restitution is a form prepared by the Clerk's Office to release a vessel or property. The following documents are required:

For a Cause Pending:

- Original Claim of Owner.
- Stipulation/Consent. (If not present, it is necessary to have a Motion and Order for the Release of the Vessel.)
- Release Bond (cash or surety). If the amount of the bond is not otherwise stipulated by both parties, the bond will be in the amount of the claim plus 6% interest for two years (Principal x 6% x 2 = the amount of bond.)
- Original U.S. Marshals Cost or Release Form Notice indicating that all costs have been paid.

For a Cause Terminated:

- Original Claim of Owner.
- Original U.S. Marshals Cost or Release Form Notice indicating that all costs have been paid.
- Order for the Release of the Vessel.

V. APPEALS TO THE UNITED STATES COURT OF APPEALS

The United States District Court System is comprised of 94 judicial districts, which are divided into 12 regional circuits. Each circuit has a United States Court of Appeals (USCA) which hears appeals from all the district courts located within its circuit as well as appeals from federal administrative agencies. In addition, a Federal Circuit was created in 1982. The Court of Appeals for the Federal Circuit has nationwide jurisdiction to hear appeals in specialized cases, such as those involving patent laws and cases decided by the Court of International Trade and the Court of Federal Claims. The cases it hears are determined by subject matter, not geography.

The Southern District of Florida is part of the Eleventh Circuit, which has jurisdiction over federal cases originating in the states of Alabama, Florida and Georgia. The Eleventh Circuit is comprised of nine district courts (the three states divided into three districts each – northern, middle and southern).

Upon the conclusion of the case, the USCA will enter a written opinion. A copy of this opinion will be forwarded to the District Judge by the USCA. If any party to the appeal does not agree with the opinion entered, that party will have thirty (30) days from the date of the opinion to petition the USCA for a re-hearing. If the petition for re-hearing is granted, the USCA will take the matter under review.

A filing fee of \$455.00 payable to the “Clerk, United States Court” is required.

Appeals proceeding *in forma pauperis* or under the Criminal Justice Act (CJA)

If trial counsel was appointed for a defendant in the District Court under the Criminal Justice Act, the party is not required to prepay costs or establish the right to proceed *in forma pauperis* on appeal. The same applies in civil cases where a party was permitted to proceed in the District Court *in forma pauperis* (such as prisoner petitions). The right to proceed *in forma pauperis* on appeal does not have to be re-established. If it is a criminal appeal and the appellant has proceeded in the District Court with a Court-appointed attorney, obtain a copy of the appropriate order, and include it in the packet.

VI. ADMISSION TO THE FEDERAL BAR

A) Application and Exam

Every attorney who files on behalf of a party in the Southern District of Florida must be admitted to the Federal Bar of the Southern District of Florida. In order to be admitted, an attorney must pass the Southern District's Bar exam. The applicant must receive a passing grade on the Uniform Examination, approved and adopted by the District Examination Committees of the Southern District of Florida.

The following documents are required:

- A Petition for Admission (allows the applicant to take the Federal Bar exam).
- A Certificate of Good Standing from The Florida Bar or Supreme Court of Florida issued no more than 90 days prior to the date of the Federal Bar exam.

A filing fee of \$175.00 payable to the "Clerk, United States Courts" is required.

NOTE: *Petitions are available at all Clerk's Offices or on our [website](#).*

B) Volunteer Lawyers' Project for Southern District of Florida

All attorneys admitted to the Southern District of Florida are expected to join the Court's Volunteer Lawyers' Project (VLP). The program's goal is to provide /pro bono/ legal representation for indigent, *pro se* litigants in civil cases, to assist the court in handling *pro se* cases, and to expand opportunities for lawyers to satisfy their professional obligation to provide legal services to indigent litigants.

Note: Information on joining the VLP may be found on their [website](#) or by contacting the VLP at 305-373-4334 or volunteerlawyers@bellsouth.net.

C) Pro Hac Vice Appearance

An attorney who is a member in good standing of the bar of any United States Court or the highest court of any state or territory or insular possession of the United States, but is not admitted to practice in this District, may be permitted to appear and participate in a particular case. The attorney must certify that he/she has studied the Local Rules of this District and such application shall designate a member of the bar of this Court to serve as an advisor. An attorney who is not a member of the Southern District of Florida Bar may move the Court to make a limited appearance ("*pro hac vice*" meaning "in a particular case only").

In order to file documents or appear before the Court, an attorney who is not admitted to the Southern District of Florida Bar must *conventionally* file a Motion to Make a Limited

Appearance (*Pro Hac Vice*) for **each** case in which an appearance will be made. Such motions will *not* be accepted electronically. (A Notice of Appearance is *not* a Motion to Appear *Pro Hac Vice* and does *not* require a filing fee.) If granted, such limited appearance does not constitute formal admission to the bar of this Court. While the attorney permitted to make limited appearances will not be permitted to file electronically in CM/ECF, he or she will be able to electronically receive Notices of Electronic Filings (NEF).

A filing fee of \$75.00 payable to the "Clerk, United States Courts" is required.

D) Government Attorneys

A government attorney is any full-time U.S. Attorney, Assistant U.S. Attorney, Federal Public Defender or Assistant Federal Public Defender employed full time by and representing the United States government, or any agency thereof, and any Attorney General and Assistant Attorney General of the State of Florida.

Government attorneys may appear and participate in actions or proceedings on behalf of the attorney's employer in the attorney's official capacity without petition for admission to the Southern District of Florida Bar; however, they must file a letter with the Clerk of Court stating that they represent the government. The letter must include the attorney's Florida Bar number. If the attorney does not have a Florida Bar number, the last four digits of the attorney's social security number and year of birth must be provided. Government attorneys are required to register for CM/ECF.

VII. MEDIATION

[L.R.16.2 D](#) implemented Court-annexed mediation in the District and defined the types of cases subject to mediation and the procedures for referring a case to mediation.

Mediation is a supervised settlement conference presided over by a mediator to promote conciliation, compromise and the ultimate settlement of a civil action prior to trial.

The Clerk of Court maintains a list of certified mediators from which a mediator is randomly selected when the parties to a case cannot agree on a mediator and request that the Clerk appoint one. To become a certified mediator in the District, one must submit a written application to the Clerk's Office in Miami. The application is reviewed by an *ad hoc* committee on mediation and final approval of the committee's recommendations rests with the Chief Judge. A list of certified mediators is available on the court's website (www.flsd.uscourts.gov) and at the Intake Section at any of the Clerk's Offices.

If a request for the Clerk to appoint a mediator is filed conventionally, the request should be processed in accordance with conventional filing procedures.

APPENDIX A

UNITED STATES DISTRICT COURT
Southern District of Florida

Case Number: _____

Plaintiff(s)

v.

Defendant(s)

(TITLE OF DOCUMENT)

I, _____ plaintiff or defendant, in the above styled cause,

Certificate of Service

I _____, certify that on this date _____ a true copy
of the foregoing document was mailed to: _____
name(s) and address(es)

By:

Printed or typed name of Filer

Signature of Filer

Florida Bar Number

E-mail address

Phone Number

Facsimile Number

Street Address

City, State, Zip Code

APPENDIX B

WRIT OF EXECUTION

UNITED STATES DISTRICT COURT	DISTRICT Southern District of Florida
TO THE MARSHAL OF:	
YOU ARE HEREBY COMMANDED, that of the gods and chattels, lands and tenements in your district belonging to: NAME	
you cause to be made and levied as well a certain debt of:	
DOLLAR AMOUNT	DOLLAR AMOUNT and
in the United States District Court for the _____, District of _____, before the Judge of the said Court by the consideration of the same Judge lately recovered against the said,	
and also the costs that may accrue under this writ. And that you have above listed moneys at the place and date listed below; and that you bring this writ with you.	
PLACE	DISTRICT
CITY	DATE
Witness the Honorable _____ <div style="text-align: right;"><i>(United States Judge)</i></div>	
DATE	CLERK OF COURT
	(BY) DEPUTY CLERK
RETURN	
DATE RECEIVED	DATE OF EXECUTION OF WRIT
This writ was received and executed.	
U.S. MARSHAL	(BY) DEPUTY MARSHAL

APPENDIX C

Southern District of Florida

Case Number: _____

V.

Defendant(s)

I, _____ plaintiff, in the above styled cause, sues
defendant(s); _____.

[illegible]

[illegible]

APPENDIX D

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.) **NOTICE: Attorneys MUST Indicate All Re-filed Cases Below.**

I. (a) PLAINTIFFS

(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

DEFENDANTS

County of Residence of First Listed Defendant
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT LAND INVOLVED.

Attorneys (If Known)

(d) Check County Where Action Arose: ☐ MIAMI- DADE ☐ MONROE ☐ BROWARD ☐ PALM BEACH ☐ MARTIN ☐ ST. LUCIE ☐ INDIAN RIVER ☐ OKEECHOBEE HIGHLANDS

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

☐ 1 U.S. Government Plaintiff

☐ 2 U.S. Government Defendant

☐ 3 Federal Question (U.S. Government Not a Party)

☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES(Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated <i>or</i> Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated <i>and</i> Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt.Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition			

V. ORIGIN (Place an "X" in One Box Only)

☐ 1 Original Proceeding

☐ 2 Removed from State Court

☐ 3 Re-filed-(see VI below)

☐ 4 Reinstated or Reopened

☐ 5 Transferred from another district (specify)

☐ 6 Multidistrict Litigation

☐ 7 Appeal to District Judge from Magistrate Judgment

VI. RELATED/RE-FILED CASE(S).

a) Re-filed Case ☐ YES ☐ NO

b) Related Cases ☐ YES ☐ NO

(See instructions second page): JUDGE

DOCKET NUMBER

VII. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing and Write a Brief Statement of Cause (Do not cite jurisdictional statutes unless diversity):

LENGTH OF TRIAL via _____ days estimated (for both sides to try entire case)

VIII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☐ No

ABOVE INFORMATION IS TRUE & CORRECT TO THE BEST OF MY KNOWLEDGE

SIGNATURE OF ATTORNEY OF RECORD

DATE

FOR OFFICE USE ONLY

AMOUNT

RECEIPT #

IFP

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

I. (a) Plaintiffs-Defendants. Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

(d) Choose one County where Action Arose.

II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

III. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

IV. Nature of Suit. Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

V. Origin. Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Refiled Copy of Order of Dismissal. (3)

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

VI. Related Cases. This section of the JS 44 is used to reference related pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

VII. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553
Brief Description: Unauthorized reception of cable service

VIII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

Date and Attorney Signature. Date and sign the civil cover sheet.

APPENDIX E

CLERK'S OFFICE, SOUTHERN DISTRICT OF FLORIDA
FEE SCHEDULE 28 U.S.C. §1913, 1914 and 1917

Filing fee for opening civil action	\$350.00
Filing fee for Notice of Removal from State Court	\$350.00
Notice of Appeal to the 11th Circuit Court of Appeal \$450.00 + \$5.00 Docket Fee	\$455.00
Notice of Appeal to a district judge from a judgment of conviction by a magistrate in a misdemeanor case	\$32.00
Application for Writ of Habeas Corpus	\$5.00
Filing fee for Memo Cases or indexing any paper not in a case or proceeding Registration of Judgment from another district pursuant to 28 U.S.C. § 1963. Letter of Rogatory/Request for Judicial Assistance Petition to perpetuate testimony under Rule 27(a) of the Federal Rules of Civil Procedure Order appointing trustees under 28 U.S.C. § 754 Memo cases (i.e. Motion to quash Grand Jury, Order appointing trustees, etc. Power of Attorneys	\$39.00
Search (per name or item)	\$26.00
Certification of any document or paper	\$9.00
Exemplification (twice the amount of the certification fee)	\$18.00
Apostille	\$18.00
Reproducing any document (per page)	\$0.50
Reproducing of magnetic tape recordings (cassette or reel-to-reel)	\$26.00
Retrieval of a record from a Federal Records Center, National Archives	\$45.00
Admission of attorneys to practice (Note: \$25.00 of this fee will be deposited with the Federal Bar Association in support of the Federal Bar and Bench fund)	\$175.00
Duplicate certificate of admission or Certificate of Good Standing	\$15.00
Motion/application for Special or Limited Appearance pursuant to <u>S.D.F.L.</u> Rule 4(B) of the Special Rule Governing the Admission and Practice of Attorneys	\$75.00
Writ of garnishment	\$100.00
Check returned for lack of funds	\$45.00
Transcript	Varies*



APPENDIX F

**NOTICE OF LAWSUIT AND REQUEST
FOR WAIVER OF SERVICE OF SUMMONS**

Case Number: _____

TO: (A) _____
as (B) _____ of (C) _____

A lawsuit has been commenced against you (or the entity on whose behalf you are addressed). A copy of the complaint is attached to this notice. It has been filed in the United States District Court for the (D) _____ Southern _____ District of _____ Florida _____ and has been assigned docket number (E) _____.

This is not a formal summons or notification from the court, but rather my request that you sign and return the enclosed waiver of service in order to save the cost of serving you with a judicial summons and an additional copy of the complaint. The cost of service will be avoided if I receive a signed copy of the waiver within (F) _____ days after the date designated below as the date on which this Notice and Request is sent. I enclose a stamped and addressed envelope (or other means of cost - free return) for your use. An extra copy of the waiver is also attached for your records.

If you comply with this request and return the signed waiver, it will be filed with the court and no summons will be served on you. The action will then proceed as if you had been served on the date the waiver is filed, except that you will not be obligated to answer the complaint before 60 days from the date designated below as the date on which this notice is sent (or before 90 days from that date if your address is not in any judicial district of the United States).

If you do not return the signed waiver within the time indicated, I will take appropriate steps to effect formal service in a manner authorized by the Federal Rules of Civil Procedure and will then, to the extent authorized by those Rules, ask the court to require you (or the party on whose behalf you are addressed) to pay the full costs of such service. In that connection, please read the statement concerning the duty of parties to waive the service of the summons, which is set forth at the foot of the waiver form.

I affirm that this request is being sent to you on behalf of the plaintiff, this ____ day of _____, 20 ____.

Signature of Plaintiff's Attorney or Unrepresented Plaintiff

A - Name of individual defendant (or name of officer or agent of corporate defendant)

B - Title, or other relationship of individual to corporate defendant

C - Name of corporate defendant, if any

D - District

E - Docket number of action

F - Addressee must be given at least 30 days (60 days if located in foreign country) in which to return waiver.

WAIVER OF SERVICE OF SUMMONS

Case Number: _____

TO: _____

I, _____, acknowledge receipt of your request that I waive
(DEFENDANT NAME)
 service of summons in the action of _____
(CAPTION OF ACTION)
 which is case number _____ in the United States District Court for the
(DOCKET NUMBER)
 _____ Southern District of _____ Florida

I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after _____
(DATE REQUEST WAS SENT)
 or within 90 days after that date if the request was sent outside the United States.

(DATE)_____
(SIGNATURE)

Printed/Typed Name: _____

As _____ of _____
(TITLE) (CORPORATE DEFENDANT)

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.

APPENDIX G

UNITED STATES DISTRICT COURT
Southern District of Florida

Case Number: _____

Plaintiff

v.

Defendant

SUMMONS IN A CIVIL CASE

TO: (Name and address of defendant)

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

an answer to the complaint which is herewith served upon you, within _____ days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

CLERK OF COURT

DATE

(BY) DEPUTY CLERK

RETURN OF SERVICE

Service of the Summons and Complaint was made by me ¹	DATE
NAME OF SERVER (PRINT)	TITLE

Check one box below to indicate appropriate method of service

G Served personally upon the defendant. Place where served: _____

G Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: _____

G Returned unexecuted: _____

G Other (*specify*): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
--------	----------	-------

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date

Signature of Server

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

APPENDIX H

UNITED STATES DISTRICT COURT
Southern District of Florida

Case Number: _____

Plaintiff

v.

Defendant

MOTION FOR APPOINTMENT OF PROCESS SERVER

Pursuant to Federal Rules of Civil Procedure 4, as amended, the undersigned moves the Court to appoint:

_____ to serve process in this action and avers that the person to be appointed is not less than eighteen (18) years of age and is not a party to this action.

Attorney for (Circle One): Plaintiff / Defendant

Printed or typed name of Attorney

Signature of Attorney

Florida Bar Number

Business telephone number

Street Address

City, State, Zip Code

ORDER

In accordance with Federal Rules of Civil Procedure 4 and Florida Rules of Court 1.070 (b), and pursuant to Miscellaneous Order 82-2 of the Southern District of Florida, the above named is hereby appointed to serve process in this action and shall file an affidavit of service with the Clerk of this Court pursuant to Federal Rule of Civil Procedure 4 (1).

Dated this _____ day of _____, 20 ____.

CLARENCE MADDOX

Court Administrator • Clerk of Court

By: _____

Deputy Clerk

APPENDIX I

UNITED STATES DISTRICT COURT

Southern District of Florida

Case Number: _____

Plaintiff

v.

Defendant

APPLICATION TO PROCEED WITHOUT PREPAYMENT OF FEES AND AFFIDAVIT

I, _____ declare that I am the (check appropriate box)

G petitioner/plaintiff/movant G other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? G Yes G No (If "No", go to Part 2)

If "Yes", state the place of your incarceration _____

Are you employed at the institution? _____ Do you receive any payment from them

Attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

2. Are you currently employed? G Yes G No

a. If the answer is "Yes", state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

b. If the answer is "No", state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

3. In the past 12 twelve months have you received any money from any of the following sources?

a. Business, profession or other self-employment	G Yes	G No
b. Rent payments, interest or dividends	G Yes	G No
c. Pensions, annuities or life insurance payments	G Yes	G No
d. Disability or workers compensation payments	G Yes	G No
e. Gifts or inheritances	G Yes	G No
f. Any other sources	G Yes	G No

If the answer to any of number 3a to 3f is "Yes", describe, each source of money and state the amount received and what you expect you will continue to receive.

4. Do you have **any** cash or checking or savings accounts? G Yes G No
If "Yes", state the total amount. _____
5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or any other thing of value? G Yes G No
If "Yes", describe the property and state its value.
6. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.

I declare under penalty of perjury that the above information is true and correct.

Date

Signature of Applicant

NOTICE TO PRISONER: A Prisoner seeking to proceed IFP shall submit an affidavit stating all assets. In addition, a prisoner must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

APPENDIX J

UNITED STATES DISTRICT COURT
Southern District of Florida

Case Number: _____

Plaintiff

v.

Defendant

SEALED DOCUMENT TRACKING FORM

Party Filing Matter Under Seal

Name: _____

Address: _____

Telephone: _____

On behalf of (select one):

☐ Plaintiff

☐ Defendant

Date sealed document filed: _____

If sealed pursuant to statute, cite statute: _____

If sealed pursuant to previously entered protective order, date of order and docket entry number: _____

The matter should remain sealed until:

☐ Conclusion of Trial

☐ Arrest of First Defendant

☐ Case Closing

☐ Conclusion of Direct Appeal

☐ Other: _____

☐ Permanently. Specify the authorizing law, rule, court order: _____

The moving party requests that when the sealing period expires, the filed matter should be (select one):

☐ Unsealed and placed in the public portion of the court file

☐ Destroyed

☐ Returned to the party or counsel for the party, as identified above

Attorney for:

APPENDIX K

UNITED STATES DISTRICT COURT
Southern District of Florida

Case Number: _____

Plaintiff

v.

Defendant

CERTIFICATION OF EMERGENCY

I hereby certify that, as a member of the Bar of this Court, I have carefully examined this matter and it is a true emergency.

I further certify that the necessity for this emergency hearing has not been caused by a lack of due diligence on my part, but has been brought about only by the circumstances of this case. The issues presented by this matter have not been submitted to the Judge assigned to this case or any other Judge or Magistrate Judge of the Southern District of Florida prior hereto.

I further certify that I have made a bona fide effort to resolve this matter without the necessity of emergency action.

Dated this _____ day of _____, 20 ____.

Signature: _____

Printed Name: _____

Florida Bar Number: _____

Telephone Number: _____

I hereby certify that the Judge assigned to this case is unavailable for this emergency (a copy of his/her notification to the Clerk is on file). In accordance with Local Rule 3.7, the Honorable _____ was randomly drawn from the Emergency Wheel.

Dated this _____ day of _____, 20 ____.

CLARENCE MADDOX

Court Administrator • Clerk of Court

By: _____
Deputy Clerk

APPENDIX L

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. ____-Civ or Cr-(USDJ's last name/USMJ's last name)

A.B.,

Plaintiff,

vs.

C.D.,

Defendant.

_____ /

**MOTION FOR LIMITED APPEARANCE, CONSENT TO
DESIGNATION AND REQUEST TO ELECTRONICALLY RECEIVE
NOTICES OF ELECTRONIC FILINGS**

In accordance with Local Rule 4.B of the Special Rules Governing the Admission and Practice of Attorneys of the United States District Court for the Southern District of Florida, the undersigned respectfully moves for the admission of (name of attorney seeking limited appearance), of the law firm of (name of firm, address, and telephone number of attorney), for purposes of limited appearance as co-counsel on behalf of (name of party being represented) herein, in the above-styled case only, and pursuant to Rule 2B, Southern District of Florida, CM/ECF Administrative Procedures, to permit (name of attorney seeking limited appearance) to receive electronic filings in this case, and in support thereof states as follows:

1. (name of attorney seeking limited appearance) is not admitted to practice in the Southern District of Florida and is a member in good standing of the (name of bar of which attorney is a member and name of district court).

2. Movant, (name of attorney admitted to the Southern District of Florida and who is authorized to file through the Court's electronic filing system), Esquire, of the law firm of (name

of firm, address, and telephone number of Movant), is a member in good standing of The Florida Bar and the United States District Court for the Southern District of Florida, maintains an office in this State for the practice of law, and is authorized to file through the Court's electronic filing system. Movant consents to be designated as a member of the Bar of this Court with whom the Court and opposing counsel may readily communicate regarding the conduct of the case, upon whom filings shall be served, who shall be required to electronically file all documents and things that may be filed electronically, and who shall be responsible for filing documents in compliance with the CM/ECF Administrative Procedures. See Section 2B of the CM/ECF Administrative Procedures.

3. In accordance with the local rules of this Court, (name of attorney seeking limited appearance) has made payment of this Court's \$75 admission fee. A certification in accordance with Rule 4B is attached hereto.

4. (name of attorney seeking limited appearance), by and through designated counsel and pursuant to Section 2B, Southern District of Florida, CM/ECF Administrative Procedures, hereby requests the Court to provide Notice of Electronic Filings to (name of attorney) at email address: (attorney's email address).

WHEREFORE, (designated member of this Court's bar) moves this Court to enter an Order permitting (name of attorney seeking limited appearance) to appear before this Court on behalf of (name of party being represented) for all purposes relating to the proceedings in the above-styled matter and directing the Clerk to provide notice of electronic filings to (name of attorney seeking limited appearance).

Dated: _____

Respectfully submitted,

Typed Name of Designated Member of this Court's Bar

Fla. Bar ID No.

Attorney E-mail Address

Law Firm Name

Street Address

City, State, Zip Code

Telephone: (xxx)xxx-xxxx

Facsimile: (xxx)xxx-xxxx

Attorneys for Plaintiff/Defendant [Party's Name(s)]

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. ____-Civ or Cr-(USDJ's last name/USMJ's last name)

A.B.,

Plaintiff,

vs.

C.D.,

Defendant.

_____ /

CERTIFICATION OF (NAME OF ATTORNEY SEEKING LIMITED APPEARANCE)

(name of attorney seeking limited appearance), Esquire, pursuant to Rule 4B of the Special Rules Governing the Admission and Practice of Attorneys, hereby certifies that (1) I have studied the Local Rules of the United States District Court for the Southern District of Florida; and (2) I am a member in good standing of (name of bar of which attorney is a member and name of district court).

Typed Name of Attorney Seeking Limited Appearance

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion for Limited Appearance, Consent to Designation and Request to Electronically Receive Notices of Electronic Filings was served by [specify method of service] on [date] on all counsel or parties of record on the service list.

Attorney Name

Case No. ____-Civ or Cr-(USDJ's last name/USMJ's last name)

SERVICE LIST

Attorney Name
Attorney E-mail Address
Firm Name
Street Address
City, State, Zip Code
Telephone: (xxx)xxx-xxxx
Facsimile: (xxx)xxx-xxxx
Attorneys for Plaintiff/Defendant
[Party's Name(s)]

Attorney Name
Attorney E-mail Address
Firm Name
Street Address
City, State, Zip Code
Telephone: (xxx)xxx-xxxx
Facsimile: (xxx)xxx-xxxx
Attorneys for Plaintiff/Defendant
[Party's Name(s)]

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. ____-Civ or Cr-(USDJ's last name/USMJ's last name)

A.B.,

Plaintiff,

vs.

C.D.,

Defendant.

_____ /

**ORDER GRANTING MOTION FOR LIMITED APPEARANCE OF
(NAME OF ATTORNEY SEEKING LIMITED APPEARANCE),
CONSENT TO DESIGNATION AND REQUEST TO ELECTRONICALLY
RECEIVE NOTICES OF ELECTRONIC FILINGS**

THIS CAUSE having come before the Court on the Motion for Limited Appearance of (name of attorney seeking limited appearance) and Consent to Designation, requesting, pursuant to Rule 4B of the Special Rules Governing the Admission and Practice of Attorneys in the United States District Court for the Southern District of Florida, permission for a limited appearance of (name of attorney seeking limited appearance) in this matter and request to electronically receive notice of electronic filings. This Court having considered the motion and all other relevant factors, it is hereby

ORDERED and ADJUDGED that:

The Motion for Limited Appearance, Consent to Designation and Request to Electronically Receive Notices of Electronic Filings is GRANTED. (Name of attorney granted limited appearance) is granted to appear and participate in this action on behalf of (name of party being represented). The Clerk shall provide electronic notification of all electronic filings to

Case No. ____-Civ or Cr-(USDJ's last name/USMJ's last name)

(name of attorney granted limited appearance) at (attorney's email address).

DONE AND ORDERED in Chambers at _____, Florida this _____
day of _____.

United States District Judge

Copies furnished to:
All Counsel of Record

APPENDIX M

Cause Table Report

Code	Description
0	no cause specified
02:0431	02:0431 Fed. Election Commission: Failure Enforce Compliance
02:0437	02:0437 Federal Election Commission
05:0075	05:0075(2) Contract - Reduction in Grade
05:0551	05:0551 Administrative Procedure Act
05:0552fi	05:0552 Freedom of Information Act
05:0552pa	05:0552 Right to Privacy Act
05:0554	05:0554 Constitutionality of Maritime Statutes
05:0701	05:0701 Maritime Subsidy Board
05:0702	05:0702 Administrative Procedure Act
05:0704	05:0704 Labor Litigation
05:7703	05:7703 Discrimination - Review of Agency Act
05:8470	05:8470 Enforcement of Judgment against Retirement Benefits
07:0006	07:0006(b) Federal Commodity Exchange Regulation
07:0009	07:0009 Commodity Futures Trading Act
07:0025	07:0025 Fraud - Commodities Leverage Contracts
07:0181	07:0181 Packers & Stockyard Act
07:0499	07:0499 Agricultural Commodities Act
07:0601	07:0601 USDA Condemnation
07:2023a	07:2023a Food Stamp Program
07:2321	07:2321 Plant Variety Protection Act
08:1105	08:1105(a) Immigration and Nationality (Deportation Review)
08:1182	08:1182 Defend. Denial of Pla. Appl. for Alien Employment Cert
08:1260	08:1260 Aliens: Access to Records
08:1324	08:1324 Aliens: Complaint for Forfeiture
08:1329	08:1329 Writ of Mandamus to Adjudicate Visa Petition
08:1446	08:1446 Petition for Naturalization Hearing
08:1451(j)	08:1451(j) Motion to Correct Order & Judg. of Naturalization
09:0001	09:0001 U.S. Arbitration Act
09:0009	09:0009 Motion to confirm arbitration award
10:1408	10:1408 Claim for Military Retirement
10:1552	10:1552 Armed Forces: Action to Correct Records
10:1553	10:1553 Armed Forces: FOIA General
10:2305	10:2305 Review of Federal Contract
11:0101	11:0101 Bankruptcy
11:0523	11:0523 Discharge of Tax Liability
11:0548	11:0548 Bankruptcy- Fraudulent Transfers
12:0022	12:0022 Securities Fraud
12:0635	12:0635 Breach of Insurance Contract
12:1441	12:1441 Federal Mortgage Foreclosure
12:1461	12:1461 Homeowners Loan Act
12:1464	12:1464 Federal Savings and Loan
12:1703	12:1703 Default of HUD Loan
12:1819	12:1819 Default of Promissory Note
12:1821	12:1821(d)(6) Claim for Indemnification
12:0191	12:0191 Bank Foreclosure
12:0192	12:0192 Liquidation of National Bank
12:1971	12:1971 Relief under Bank Holding Act
12:3410	12:3410 Right to Financial Privacy Act
15:0001	15:0001 Antitrust Litigation
15:0002at	15:0002 Antitrust Litigation
15:0002fl	15:0002(a) Fair Labor Standards Act
15:0005	15:0005(a) Fair Labor Standards Act

Cause Table Report

Code	Description
15:0015	15:0015 Antitrust Litigation
15:0025	15:0025 Clayton Act
15:0053	15:0053 Federal Trade Commission Act
15:0077	15:0077 Securities Fraud
15:0078	15:078m(a) Securities Exchange Act
15:0631	15:0631 Small Business Act
15:0754	15:0754 Emergency Petroleum Allocation-Admin. & Enforcement
15:1121	15:1121 Trademark Infringement
15:1125	15:1125 Trademark Infringement (Lanham Act)
15:1126	15:1126 Patent Infringement
15:1601	15:1601 Truth in Lending
15:1640	15:1640 Truth in Lending
15:1681	15:1681 Fair Credit Reporting Act
15:1692	15:1692 Fair Debt Collection Act
15:1938	15:1938 Fair Labor Standards Act
15:1981	15:1981 Fraud-Motor Vehicle (Odometer)
15:1988	15:1988 Fraud-Motor Vehicle (Odometer)
15:1989	15:1989 Fraud-Motor Vehicle (Odometer)
15:2301	15:2301 Magnuson-Moss Warranty Act
15:2801	15:2801 Petroleum Marketing Practices Act
16:0668	16:0668 Bald Eagle Protection Act
16:0703	16:0703 Migratory Bird Act
16:1437	16:1437 Marine Sanctuaries Act (MPRSA)
16:1540	16:1540 ESA - Endangered Species Act
17:0101	17:0101 Copyright Infringement
17:0501	17:0501 Copyright Infringement
18:0241	18:0241 Conspiracy Against Citizen Rights
18:0981	18:0981 Property forfeiture from criminal acts
18:1030	18:1030 Computer Fraud and Abuse Act **
18:0983	18:0983 Civil Asset Forfeiture Reform Act of 2000 (CAFRA)***
18:1957	18:1957 Forfeiture - currency from criminal acts
18:1961	18:1961 Racketeering (RICO) Act
18:1962	18:1962 Racketeering (RICO) Act
18:1964	18:1964 Racketeering (RICO) Act
18:2511	18:2511 Wiretapping
18:3114	18:3114 Motion for Return of Seized Property
18:3181	18:3181 Extradition to Foreign Country
18:4208	18:4208(B) Agency Action Review
20:1080	20:1080 Student Loan Recovery
20:1099	20:1099 Higher Education Act - Accreditation
20:1400	20:1400 Civil Rights of Handicapped Child
20:1401	20:1401 Education: Handicapped Child Act
21:0841	21:0841 Forfeiture Property-Drugs
21:0881	21:0881 Forfeiture Property-Drugs
23:0134	23:0134 P.I. - Auto Negligence
23:1441	23:1441 Contract Real Estate
25:0640	25:0640 Indian Tribal Rights
25:1901	25:1901 Indian Child Welfare Act
26:6212	26:6212 Injunctive Relief from IRS Lien
26:6213	26:6213 Injunctive Relief from IRS Lien
26:6702	26:6702 IRS: Refund of Income Tax Penalty
26:6703	26:6703 IRS: Refund of Tax Penalty
26:7401	26:7401 IRS: Tax Liability
26:7402	26:7402 IRS: Petition to Enforce IRS Summons
26:7422rt	26:7422 IRS: Refund Taxes

Cause Table Report

Code	Description
26:7422rx	26:7422 IRS: Refund Excise Tax
26:7426	26:7426 IRS: Wrongful Levy for Taxes
26:7429	26:7429 IRS: Tax Jeopardy Assessment
26:7609	26:7609 IRS: Petition to Quash IRS Summons
27:0185	27:0185 Enforcement of Arbitration Award
28:0157c	28:0157c BKC 9033 Proposed findings/judgment
28:0157d	28:0157 Motion for Withdrawal of Reference
28:0158	28:0158 Bankruptcy Appeal from Judgment/Order
28:0158a	28:0158a Motion for Leave to File Notice of Appeal
28:0185	28:0185 Suit to Compel Arbitration
28:0451	28:0451 Employment Discrimination
28:0754	28:0754 Receiver of Property in Different Districts
28:0794	28:0794 Rehabilitation Act
28:1001	28:1001 E.R.I.S.A.
28:1132	28:1132 E.R.I.S.A.
28:1330	28:1330 Breach of Contract
28:1331	28:1331 Federal Question
28:1331al	28:1331 Fed. Question: Airline Crash
28:1331at	28:1331 Fed. Question: Anti-trust
28:1331au	28:1331 Fed. Question: Auto Negligence
28:1331bc	28:1331 Fed. Question: Breach of Contract
28:1331cm	28:1331 Fed. Question: Interstate Commerce Act
28:1331cv	28:1331 Fed. Question: Civil Rights Violation
28:1331ed	28:1331 Fed. Question: Employment Discrimination
28:1331ej	28:1331 Federal Question: Enforcement of Judgment
28:1331fl	28:1331 Fed. Question: Fair Labor Standards
28:1331in	28:1331 Fed. Question: Insurance Contract
28:1331mm	28:1331 Fed. Question: Medical Malpractice
28:1331ng	28:1331 Fed. Question: Natural Gas Act
28:1331pi	28:1331 Fed. Question: Personal Injury
28:1331rd	28:1331 Fed. Question: Review Agency Decision
28:1331rp	28:1331(a) Fed. Question: Real Property
28:1331rr	28:1331 Fed. Question: Railway Labor Act
28:1331sv	28:1331 Fed. Question: Securities Violation
28:1331tr	28:1331 Fed. Question: Trademark
28:1331tt	28:1331 Fed. Question: Tort Action
28:1331v	28:1331 Fed. Question: Violation 5th & 8th Amendment
28:1331wt	28:1331 Fed. Question: Water Rights
28:1332	28:1332 Diversity
28:1332ac	28:1332 Diversity-Account Receivable
28:1332al	28:1332 Diversity-Airline Crash
28:1332as	28:1332 Diversity-Asbestos Litigation
28:1332au	28:1332 Diversity-Auto Negligence
28:1332bc	28:1332 Diversity-Breach of Contract
28:1332df	28:1332 Diversity-Contract Default
28:1332ds	28:1332 Diversity-Contract Dispute
28:1332ed	28:1332 Diversity-Employment Discrimination
28:1332fr	28:1332 Diversity-Fraud
28:1332ij	28:1332 Diversity-Injunctive & Declaratory Relief
28:1332in	28:1332 Diversity-Insurance Contract
28:1332jd	28:1332 Diversity-Declaratory Judgment
28:1332lb	28:1332 Diversity-Libel, Assault, Slander
28:1332mm	28:1332 Diversity-Medical Malpractice
28:1332ni	28:1332 Diversity-Negotiable Instrument
28:1332nm	28:1332 Diversity-Non-Motor Vehicle

Cause Table Report

Code	Description
28:1332nr	28:1332 Diversity-Notice of Removal
28:1332pd	28:1332 Diversity-Property Damage
28:1332pi	28:1332 Diversity-Personal Injury
28:1332pl	28:1332 Diversity-Product Liability
28:1332qt	28:1332 Diversity-Petition to Quiet Title
28:1332tl	28:1332 Diversity-Torts to Land
28:1332tm	28:1332 Diversity-Tort/Motor Vehicle (P.I.)
28:1332tn	28:1332 Diversity-Tort/Non-Motor Vehicle
28:1332wd	28:1332 Diversity-Wrongful Death
28:1333	28:1333 Admiralty
28:1333dc	28:1333dc Admiralty - Damaged/Lost Cargo
28:1333fc	28:1333fc Admiralty - Freight/Tariff Charges
28:1333fm	28:1333fm Admiralty - Foreclose Ship's Mortgage
28:1333sc	28:1333sc Admiralty - Seaman Complaint
28:1333sr	28:1333sr Admiralty - Services Rendered
28:1334	28:1334 Bankruptcy Appeal
28:1335	28:1335 Interpleader Action
28:1337	28:1337 Sherman-Clayton Act
28:1338cp	28:1338 Copyright Infringement
28:1340	28:1340 IRS: Custom Duties
28:1341	28:1341 Complaint for Forfeiture
28:1343	28:1343 Violation of Civil Rights
28:1345	28:1345 USA Plaintiff
28:1345co	28:1345 Replevin & Conversion
28:1345db	28:1345 Debt to US - FHA/HUD Title I
28:1345fc	28:1345 Foreclosure
28:1345ff	28:1345 Complaint for Forfeiture
28:1345mi	28:1345 Mining Claim Ejectment
28:1345pd	28:1345 Property Damage
28:1345pe	28:1345 VA Property Ejectment
28:1345rc	28:1345 Recovery of Debt to US
28:1345st	28:1345 Default of Student Loan
28:1345va	28:1345 Recovery of VA Overpayment
28:1346rc	28:1346 Recovery of IRS Tax
28:1346tc	28:1346 Tort Claim
28:1348	28:1348 Corporation organized under Federal Law as party
28:1352	28:1352 Miller Act
28:1358	28:1358 Land Condemnation
28:1361	28:1361 Petition for Writ of Mandamus
28:1361us	28:1361 Action to compel U.S. officer to perform duty
28:1362ic	28:1362 Indian Tribal Controversy
28:1362iw	28:1362 Declaration re: Indian Tribal Water Rights
28:1364	28:1364 Auto Negligence
28:1391	28:1391 Personal Injury
28:1402	28:1402 Medical Malpractice
28:1407	28:1407 Airline Crash
28:1441ac	28:1441 Notice of Removal-Account Receivable
28:1441al	28:1441 Notice of Removal-Airline Crash
28:1441as	28:1441 Notice of Removal-Asbestos Litigation
28:1441au	28:1441 Notice of Removal-Auto Negligence
28:1441bc	28:1441 Notice of Removal-Breach of Contract
28:1441cs	28:1441 Notice of Removal-Constitutionality State Statutes
28:1441df	28:1441 Notice of Removal-Contract Default
28:1441dj	28:1441 Notice of Removal-Declaratory Judgment
28:1441ds	28:1441 Notice of Removal-Contract Dispute

Cause Table Report

Code	Description
28:1441fr	28:1441 Notice of Removal-Fraud
28:1441ij	28:1441 Notice of Removal-Injunctive/Declaratory Relief
28:1441in	28:1441 Notice of Removal-Insurance Contract
28:1441la	28:1441 Notice of Removal - Labor
28:1441lb	28:1441 Notice of Removal-Libel, Assault, Slander
28:1441mm	28:1441 Notice of Removal-Medical Malpractice
28:1441ni	28:1441 Notice of Removal-Negotiable Instrument
28:1441nm	28:1441 Notice of Removal-Non-Motor Vehicle
28:1441nr	28:1441 Notice of Removal
28:1441pd	28:1441 Notice of Removal-Property Damage
28:1441pi	28:1441 Notice of Removal-Personal Injury
28:1441pl	28:1441 Notice of Removal-Product Liability
28:1441qt	28:1441 Notice of Removal-Petition to Quiet Title
28:1441tl	28:1441 Notice of Removal-Torts to Land
28:1441tm	28:1441 Notice of Removal-Tort/Motor Vehicle (P.I.)
28:1441tn	28:1441 Notice of Removal-Tort/Non-Motor Vehicle
28:1441wd	28:1441 Notice of Removal-Wrongful Death
28:1442bc	28:1442 Notice of Removal-Breach of Contract
28:1442nr	28:1442 Notice of Removal
28:1443	28:1443 (1) Rent, Lease & Ejectment
28:1443cv	28:1443 Notice of Removal-Civil Rights *
28:1444	28:1441 Notice of Removal-Foreclosure
28:1446in	28:1446 Breach of Contract- Insurance
28:1446nr	28:1446 Notice of Removal
28:1446pd	28:1446 Notice of Removal-Property Damage (P.I.)
28:1446pi	28:1446 Notice of Removal-Personal Injury
28:1452	28:1452 Removal of Claim in Civil Action Related to BK. Case
28:1651hc	28:1651 Petition for Writ of Habeas Corpus
28:1651mn	28:1651 Petition for Writ of Mandamus
28:1782	28:1782 Letter Rogatory - appointment
28:2201dj	28:2201 Declaratory Judgment
28:2201in	28:2201 Declaratory Judgment (Insurance)
28:2241	28:2241 Petition for Writ of Habeas Corpus (Federal)
28:2242	28:2242 Application for writ of Habeas Corpus
28:2254	28:2254 Petition for Writ of Habeas Corpus (State)
28:2255	28:2255 Motion to Vacate Sentence
28:2345	28:2345 Medicare Recovery
28:2409	28:2409(a) Quiet Title Action
28:2410	28:2410 Actions affecting property on which USA had lien
28:2671	28:2671 Federal Tort Claims Act
28:2674	28:2674 Federal Tort Claims Act
28:7422	28:7422 Appeal from Administrative Decision
29:0151	29:0151 Labor: Review of Agency Action
29:0158	29:0158 Interstate Commerce Commission
29:0160	29:0160 (1) National Labor Relations Act
29:0184	29:0184 Violation Collection Bargain Agreement
29:0185ep	29:0185 Employee Pension Plan
29:0185lm	29:0185 Labor/Mgt. Relations (Contracts)
29:0201do	29:0201 Denial of Overtime Compensation
29:0201fl	29:0201 Fair Labor Standards Act
29:0206	29:0206 Collect Unpaid Wages
29:0401	29:0401 Labor Management Disclosure Act
29:0621	29:0621 Job Discrimination (Age)
29:0623	29:0623 Job Discrimination (Age)
29:0626	29:0626 Job Discrimination (Age)

Cause Table Report

Code	Description
29:0633	29:0633 Job Discrimination (Age)
29:0651	29:0651 Occupational Safety/Health
29:0754	29:0754 Discrimination
29:0791	29:0791 Job Discrimination (Rehabilitation Act)
29:0794	29:0794 Job Discrimination (Handicap)
29:1001	29:1001 E.R.I.S.A.: Employee Retirement
29:1002	29:1002 E.R.I.S.A.: Employee Retirement
29:1104	29:1104 Recovery of Benefits to Employee
29:1109	29:1109 Breach of Fiduciary Duties
29:1131	29:1131 ERISA - Collection of Delinquent Trust Funds
29:1132	29:1132 E.R.I.S.A.-Employee Benefits
29:1145	29:1145 E.R.I.S.A.
29:1149	29:1149 Recover Pension & Profit Sharing
29:1337	29:1337 E.R.I.S.A.
29:1381	29:1381 E.R.I.S.A.
29:1401	29:1401(b)(2) Appeal of Arbitration Award
29:1451	29:1451 E.R.I.S.A.
29:2611	29:2611 Family Medical Leave Act
29:1801	29:1801 Farmworker Rights
30:0181	30:0181 Environment: Review of Agency Action
30:1201	30:1201 Environment: Review of Agency Action
30:1276	30:1276 Interior: Review of Agency Action
31:3545	31:3545 Action to Recover Money
31:3729	31:3729 False Claims Act
31:3731	31:3731 Fraud
31:5313	31:5313 Forfeiture - currency reporting violation
31:5316	31:5316 Forfeiture - currency reporting violation
33:1319cw	33:1319 Clean Water Act
33:1319pv	33:1319 Pollutants & Permit Violations
33:1365	33:1365 Environmental Matters
35:0145	35:0145 Patent Infringement
35:0183	35:0183 Patent Infringement
35:0271	35:0271 Patent Infringement
38:0775	38:0775 Recovery of Servicemen's Group Life Insurance
38:1681	38:1681 Recovery of VA Overpayment
38:1686	38:1686 Recovery of VA Overpayment
38:1780	38:1780 Recovery of VA Overpayment
38:1803	38:1803 Recoupment of VA mortgage
38:2021	38:2021 Right to re-employment of inducted persons
38:3116	38:3116 VA Overpayment
39:3007	39:3007 Injunc. direct. retention/examination incoming mail
40:0258	40:0258(a) Public Buildings & Property: Land Condemnation
40:0270	40:0270 Miller Act
40:0875	40:0875 Public Buildings & Property: Negligence
41:0251	41:0251 Public Contracts-Review of Agency Action
41:1463	41:1463 Public Contracts: Unlawful Employment Practices
42:0205	42:0205 Denial Social Security Benefits
42:0206	42:0206 Social Security Benefits
42:0247	42:0247 Personal Injury-Swine Flu
42:0402	42:0402 Social Security Benefits
42:0405id	42:0405 Review of HHS Decision (SSID)
42:0405wc	42:0405 Review of HHS Decision (DIWC)
42:0405ww	42:0405 Review of HHS Decision (DIWW)
42:0416	42:0416 Denial of Social Security Benefits
42:1383	42:1383 Review of HHS Decision

Cause Table Report

Code	Description
42:1395	42:1395 HHS: Adverse Reimbursement Review
42:1981cv	42:1981 Civil Rights
42:1981hs	42:1981 Housing Discrimination
42:1981jb	42:1981 Job Discrimination (Race)
42:1981sx	42:1981 Sex Discrimination
42:1983cv	42:1983 Civil Rights Act
42:1983pr	42:1983 Prisoner Civil Rights
42:1986	42:1986 Neglect of Duty
42:2000ag	42:2000 Job Discrimination (Age)
42:2000pb	42:2000 Job Discrimination (Public Accommodations)
42:2000ra	42:2000 Job Discrimination (Race)
42:2000sx	42:2000 Job Discrimination (Sex)
42:2003	42:2003 Job Discrimination
42:2005	42:2005 Review of Agency Action-HHS
42:2615	42:2616 Medical Recovery Act
42:3601	42:0405 Fair Housing Act
42:4000	42:4000 National Flood Insurance Act
42:4001	42:4001 National Insurance Flood Act
42:4053	42:4053 Breach of Insurance Contract
42:4321	42:4321 Review of Agency Action-Environment
42:6901en	42:6901 Environmental Cleanup Expenses
42:6901rs	42:6901 Resource & Recovery Act
42:7604cl	42:7604 Clear Air Act (Emission Standards)
42:7604ir	42:7604 Petition to Quash IRS Summons
42:9607	42:9607 Real Property Tort to Land
42:11601	42:11601 International Child Abduction Remedies Act
42:12182/81	42:12182 American Disability Act (42:12181)
45:0051	45:0051 Railways: Fed. Employer's Liability Act
45:0151	45:0151 Railway Labor Act
45:0184	45:0184 Action to Set Aside Award of a System Board of Adjust
45:1395	45:1395 Railroads: Adverse Reimbursement Review
45:7457	45:7457 Compel Reclamation Under Clear Air Act
46:0185	46:0185 Petition by vessel owner for limitation of liability
46:0688	46:0688 Jones Act
46:0741	46:0741 Shipping
46:0761	46:0761 Shipping: Damages for Death on High Seas
46:1101	46:1101 Violation of Maritime Regulations
46:1156	46:1156 Administrative Procedure Act
46:1301	46:1301 Admiralty - Damaged/Lost Cargo
47:0151	47:0151 Telegraphs/Telephones - FCC: fees/charges
47:0605	47:0605 Unauthorized Use of Communication
48:0883	48:0883 Violation of US Coastal Law
49:0081	49:0001 Damaged Goods While Being Transported
49:0781	49:0781 Forfeiture
49:1471	49:1471 Federal Aviation Act
49:1502	49:1502 Air Transportation (Warsaw Convention)
49:11707	49:11707 Liability of Common Carriers
99:9999	99:9999 Report cause code (DO NOT DELETE!)
adsup	Administrative Subpoena
apptrec	Appointment of receiver
bvcmp	Bivens - Federal Prisoner Civil Rights
contempt	Contempt Proceedings
disbar	Disbarment Proceedings
fordepo	Foreign Deposition
menfsubp	Motion to enforce deposition subpoena

Cause Table Report

Code	Description
motcomp	Motion to Compel
motjudrev	Motion for Judicial Review
motquash	Motion to Quash
motret	Motion for Return of Property
motstaybkc	Motion to Stay Bankruptcy Proceedings
petenf	Petition to Enforce IRS Summons
petper	Petition to Perpetuate Testimony
regjgm	Registration of Foreign Judgment
tranbkref	Transmission of Bankruptcy Reference
tranff	Transmission of Proposed Findings of Fact and Concl. of Law
writgar	Application for a Writ of Garnishment
writman	Writ of Mandamus

*updated 11/15/99
 **6/20/00 add 18:1030
 ***1/30/01 add 18:0983
 11/03

APPENDIX N

UNITED STATES DISTRICT COURT
Southern District of Florida

Case Number: _____

(Enter the full name of the plaintiff in this action)

v.

(Above, enter the full name of the defendant(s) in this action)

A COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983

Instructions for Filing:

This packet includes four copies of the complaint form and two copies of the Application to Proceed without Prepayment of Fees and Affidavit. To start an action you must file an original and one copy of your complaint for the court and one copy for each defendant you name. For example, if you name two defendants, you must file the original and three copies of the complaint (a total of four) with the court. You should also keep an additional copy of the complaint for your own records. All copies of the complaint must be identical to the original.

Your complaint must be legibly handwritten or typewritten. Please do not use pencil to complete these forms. The plaintiff must sign and swear to the complaint. If you need additional space to answer a question, use an additional blank page.

Your complaint can be brought in this court only if one or more of the named defendants is located within this district. Further, it is necessary for you to file a separate complaint for each claim that you have unless they are all related to the same incident or issue.

There is a filing fee of \$350.00 for this complaint to be filed. If you are unable to pay the filing fee and service costs for this action, you may petition the court to proceed in forma pauperis.

Two blank Applications to Proceed without Prepayment of Fees and Affidavit for this purpose are included in this packet. Both should be completed and filed with your complaint.

You will note that you are required to give facts. THIS COMPLAINT SHOULD NOT CONTAIN LEGAL ARGUMENTS OR CITATIONS.

When these forms are completed, mail the original and the copies to the Clerk's Office of the United States District Court, Southern District of Florida, 301 North Miami Avenue, Miami, Florida 33128-7788.

I. Parties

In Item A below, place your name in the first blank and place your present address in the third blank.

A. Name of plaintiff: _____

Inmate #: _____

Address: _____

In Item B below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use Item C for the names, positions, and places of employment for any additional defendants.

B. Defendant: _____

is employed as _____

at _____

C. Additional Defendants: _____

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates, and places.

[illegible]

III. Relief

State briefly exactly what you want the court do to do for you. Make no legal arguments. Cite no cases or statutes.

VII. Jury Demand

Do you demand a jury trial? ☐ Yes ☐ No

Signed this _____ day of _____, 20____

(Signature of Plaintiff)

I declare under penalty of perjury that the foregoing is true and correct. (*optional*)

Executed on: _____

(Signature of Plaintiff)